

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

NEW JERSEY CARPENTERS PENSION
FUND and TRUSTEES OF NEW
JERSEY CARPENTERS PENSION
FUND,

Plaintiffs,

v.

MALTBIE, INC., et al.,

Defendants.

Civil No. 09-5920 (RMB/AMD)

AMENDED SCHEDULING ORDER
AND ORDER ON INFORMAL APPLICATION

This Matter having come before the Court by way of letter request dated January 14, 2011 from Gary A. Carlson, Esquire, counsel for plaintiffs, for an Order extending discovery; and it appearing that defense counsel joins in this extension request; and for good cause shown:

IT IS this **19th** day of **January 2011**, hereby **ORDERED**:

1. The time within which to seek amendments to the pleadings or to add new parties will expire on **February 18, 2011**.

2. Pretrial factual discovery is hereby extended to **February 28, 2011**. All pretrial discovery shall be concluded by that date. All discovery motions and applications pursuant to L. Civ. R. 37.1(a)(1) shall be made returnable before the expiration of pretrial factual discovery.

3. **Depositions**. All depositions are to be conducted in accordance with the procedures set forth in the order of Judge Gawthrop, in Hall v. Clifton Precision, 150 F.R.D. 525 (E.D.Pa. 1993).

4. The telephone status conference on February 7, 2011 is **RESCHEDULED** to **March 7, 2011 at 12:00 Noon**. Counsel for plaintiffs shall initiate the telephone call.

5. All expert reports and expert disclosures pursuant to FED. R. Civ. P. 26(a)(2) on behalf of plaintiffs shall be served upon counsel for defendants not later than **March 29, 2011**. All expert reports and expert disclosures pursuant to FED. R. Civ. P.

26(a)(2) on behalf of defendants shall be served upon counsel for plaintiffs not later than **April 29, 2011**. Each such report should be accompanied by the curriculum vitae of the proposed expert witness. No expert opinion testimony shall be admitted at trial with respect to any witness for whom this procedure has not been timely followed. Depositions of proposed expert witnesses shall be concluded by **May 31, 2011**.

The parties shall also exchange, in accordance with the foregoing schedule, written statements identifying all opinion testimony counsel and the parties anticipate will be presented at trial pursuant to F. R. EVID. 701 and Teen-Ed v. Kimball International, Inc., 620 F.2d 399 (3d Cir. 1980).

6. **Dispositive Motions**. Dispositive motions shall be filed with the Clerk of the Court no later than **May 12, 2011**. Opposition to the motion should be served in a timely fashion. Counsel are to follow L. Civ. R. 7.1, 7.2, 56.1 and 78.1 (Motion Practice - Generally).

7. Any application for an extension of time beyond the deadlines set herein shall be made in writing to the undersigned and served upon all counsel prior to expiration of the period sought to be extended, and shall disclose in the application all such extensions previously obtained, the precise reasons necessitating the application showing good cause under FED. R. CIV. P. 16(b), and whether adversary counsel agree with the application. The schedule set herein will not be extended unless good cause is shown.

THE FAILURE OF A PARTY OR ATTORNEY TO OBEY THIS ORDER MAY RESULT IN IMPOSITION OF SANCTIONS UNDER FED. R. CIV. P. 16(f).

s/ Ann Marie Donio
ANN MARIE DONIO
United States Magistrate Judge

cc: Hon. Renée Marie Bumb